

Notice of Allowability

Application No.

10/020,973

Examiner

Cheukfan Lee

Applicant(s)

HUANG, WEN-YUNG

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed August 15, 2006.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance

9. ☒ Other Copy of
Japanese reference
Jp 04337964 A


Cheukfan Lee

Art Unit: 2625

1. All claims 1-27 are allowed. Claims 1, 13 and 20 are independent.
2. The amendment filed August 15, 2006 has overcome the objection to claim 10.
3. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record. Claim 1 requires "generating a preview window of the scanned original, the preview window including a profile of at least one of the one or more objects of the original, the profile defining a confined area of the preview window, receiving a selection of at least one profile included in the preview window, and scanning the scan area". These steps in combination with other limitations of claim 1 are not taught by the prior art of record, including the newly cited Japanese reference JP 04337964 A, cited in section 4 below.

Claims 2-12 depend on claim 1.

Claim 13 recites a method similar to that of claim 1. Specifically, the method comprises the following steps:

generating a preview window of the scanned original that comprises one or more objects, the preview window including a profile of at least one of the one or more objects, the profile defining a confined area of the preview window and corresponding to a location of a respective object of the original,

defining a scan area to include at least a portion of the one or more object, and scanning the scan area.

Art Unit: 2625

This combination of limitations in combination with other limitations of claim 13 is not taught by the prior art of record, including the newly cited Japanese reference JP 04337964 A, cited in section 4 below.

Claims 14-19 depend on claim 13.

Claim 20 claims a scanner corresponding to the method of claim 1, up to the step of "receiving a selection of at least one profile included in said preview window". A combination of the limitations of claim 20 with other limitations of claim 20 is not taught by the prior art of record, including the newly cited Japanese reference JP 04337964 A. Although claim 20 does not claim determining or defining a scan area and scanning the scan area, the scanner of claim 20 comprising the logic module for determining a location of an object in the original and generating a preview of the original including a profile of the object based on the information of the original, in combination with other limitations of claim 20, is not taught by the prior art of record.

Claims 21-27 depend on claim 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2625

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fuji (Japanese Patent Application Publication No. JP 4-337964, or JP 04337964 A), "Image input device"

Lavendel et al. (U.S. Patent No. 7,039,876), "User interface for image acquisition device", Figs. 7 and 8

White et al. (U.S. Patent Application Publication No. US 2004/0120009 A1), "Method for generating an image of a detected subject"

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
October 26, 2006